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Van Beck v. Daniel Construction Co., 86-ERA-26 (Sec'y Feb. 10, 1994)
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DATE: February 10, 1994
CASE NO. 86-ERA-26

IN THE MATTER OF

MARVIN VAN BECK,

COMPLAINANT,

v.

DANIEL CONSTRUCTION COMPANY,

RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

FINAL ORDER APPROVING SETTLEMENT
AND DISMISSING COMPLAINT

Before me for review is the Recommended Order of Dismissal (R.O.) of the Administrative Law Judge (ALJ) in this case arising under the employee protection provision of the Energy Reorganization Act of 1974, as amended (ERA), 42 U.S.C. § 5851 (1988). This case was before the ALJ on remand from the Secretary for further consideration of the appropriate back pay award pursuant to the Decision and Order of Remand issued on August 16, 1993. Before the ALJ, the parties submitted a fully executed settlement agreement and Complainant requested withdrawal of his complaint with prejudice. The ALJ recommended approval of the settlement agreement and dismissal of the complaint with prejudice.

Upon careful review of the settlement agreement, I find the terms of the agreement to be fair, adequate and reasonable to settle Complainant's allegations the Respondent violated the ERA, and I approve it.

Accordingly, the complaint is dismissed with prejudice.

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SO ORDERED.

ROBERT B. REICH
Secretary of Labor

Washington, D.C.